

Shannon E. Oltarzewski, SBN 191269  
 LPLM Tax Attorneys, Inc.  
 1902 Wright Place, Suite 200  
 Carlsbad, CA 92008  
 Telephone (760) 730-5395  
 Facsimile (760) 754-2443  
 shannon@lplmtaxattorneys.com

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

PAUL S. BANNER,

PLAINTIFF(S)

v.

CASE NUMBER

CV 09-7525 PA (AJWx)

CFM CORPORATION, A Delaware Corporation; HOMECOMINGS FINANCIAL, LLC, A Delaware Limited Liability Corporation; GMAC MORTGAGE, LLC, A Delaware Corporation; TARGA SALE, a Sole Proprietorship; EXECUTIVE TRUSTEE SERVICES, LLC dba ETS SERVICES, LLC, a Delaware Corporation; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, as Nominee for Lender and Lender's Successors and Assigns; STEVEN KESSEDIAN, an individual; and DOES 1-10 DEFENDANT(S).

PROOF OF SERVICE  
 SUMMONS AND COMPLAINT

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

- ☒ summons ☐ first amended complaint ☐ third party complaint  
☒ complaint ☐ second amended complaint ☐ counter claim  
☐ alias summons ☐ third amended complaint ☐ cross claim  
☒ other: (specify): Civil Cover Sheet, Notice of Pilot ADR Program, NOTICE OF ASSIGNMENT, CERTIFICATION OF NOTICE OF INTERESTED PARTIES

2. Person served:

- a. ☒ Defendant (name): SEE ATTACHED LIST  
 b. ☐ Other (specify name and title or relationship to the party/business named):  
 c. ☒ Address where papers were served: SEE ATTACHED LIST

3. Manner of Service in compliance with (one box must be checked):

- a. ☒ Federal Rules of Civil Procedure  
 b. ☐ California Code of Civil Procedure

4. I served the person named in Item 2:

- a. ☐ By **Personal service**. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.  
 1. ☐ Papers were served on (date): \_\_\_\_\_ at (time): \_\_\_\_\_  
 b. ☐ By **Substituted service**. By leaving copies:  
 1. ☐ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.  
 2. ☐ (business) or a person apparently in charge of the office or place of business, at least 18 years of age, who was informed of the general nature of the papers.  
 3. ☐ papers were served on (date): \_\_\_\_\_ at (time): \_\_\_\_\_  
 4. ☐ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).  
 5. ☐ papers were mailed on (date): \_\_\_\_\_  
 6. ☐ due diligence. I made at least three (3) attempts to personally serve the defendant. (Attach separate declaration regarding due diligence).  
 c. ☒ Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (Attach completed Waiver of Service of Summons and Complaint).

- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity (F.R.Civ.P. 4(h)) (C.C.P. 416.10).** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity (C.C.P. 415.20 only).** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (by first-class mail, postage prepaid) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. **(Attach a copy of the order to this Proof of Service).**
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- h. ☐ **Other** (specify code section and type of service):
5. Service upon the **United States, and Its Agencies, Corporations or Officers.**
- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
- Name of person served:
- Title of person served:
- Date and time of service: (date): \_\_\_\_\_ at (time): \_\_\_\_\_
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation **(Attach signed return receipt or other evidence of actual receipt by the person served).**
6. At the time of service I was at least 18 years of age and not a party to this action.
7. Person serving (name, address and telephone number):
- Angel G. Coronel  
1902 Wright Place, Suite 200, Carlsbad, CA 92008  
760-730-5395
- a. ☐ Fee for service: \$
- b. ☒ Not a registered California process server
- c. ☐ Exempt from registration B&P 22350(b)
- d. ☐ Registered California process server
8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

11-9-09  
Date

  
Signature

1 Agent for Service of Process in Delaware  
2 CFM Corporation  
3 704 N. King Street, Suite 500  
4 PO Box 1031  
5 Wilmington, DE 19899

6 Agent for Service of Process in California for  
7 CFM Corporation  
8 16000 Ventura Boulevard  
9 Encino, California 91436

10 Officer of the Corporation  
11 CFM Corporation  
12 16060 Ventura, Suite 105-327  
13 Encino, California 91436

14 Agent for Service of Process in Delaware  
15 Homecomings Financial LLC  
16 CSC  
17 2711 Centerville Road Suite 400  
18 Wilmington, DE 19808

19 Agent for Service of Process in California  
20 Homecomings Financial LLC  
21 CSC  
22 One Meridian Crossings Suite 100  
23 Minneapolis, MN 55423

24 Officer of Corporation  
25 Homecomings Financial LLC  
26 188 106<sup>th</sup> Avenue NE, Suite 600  
27 Bellevue, WA 98004

28 Agent for Service of Process in California  
GMAC Mortgage LLC  
CSC  
2730 GATEWAY OAKS DR STE 100  
SACRAMENTO, CA 95833

Officer of Corporation  
GMAC Mortgage, LLC  
PO Box 4622  
Waterloo, IA 50704-4622

1 Targa Sale/Targa Escrow  
2 16133 Ventura Boulevard, Suite 700  
3 Encino, CA 91436

4 Targa Sale/Targa Escrow  
5 16133 Ventura Boulevard, Suite 700  
6 Encino, CA 91436

7 Agent for Service of Process in Delaware for  
8 Executive Trustee Services, LLC  
9 CSC  
10 2711 Centerville Road Suite 400  
11 Wilmington, DE 19808

12 Officer of the Corporation  
13 Executive Trustee Services, LLC  
14 2255 N ONTARIO ST STE 400  
15 BURBANK, CA 91504

16 Agent for Service of Process in California for  
17 Mortgage Electronic Registration Systems Inc  
18 John Brosnan  
19 3321 Vincent Road  
20 Pleasant Hill, CA 94523

21 Mortgage Electronic Registration Systems Inc  
22 3321 Vincent Road  
23 Pleasant Hill, CA 94523

24 William Partridge  
25 Pite Duncan LLC  
26 Attorney for GMAC Mortgage LLC  
27 4375 Jutland Drive, Suite 200  
28 San Diego, CA 92117

Paul S. Banner  
1140 W. Slauson Avenu  
Los Angeles, CA 90044

Shannon E. Oltarzewski  
LPLM Tax Attorneys, Inc.  
4900 Hopyard Road, Suite 100  
Pleasanton, California 94588